

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL FRIEDMANN,

Plaintiff,

v.

INTERNAL REVENUE SERVICE et al.,

Defendants.

CASE NO. 3:23-cv-05075-TL

ORDER TO CLARIFY THE DOCKET

This matter is before the Court on its own motion to address Plaintiff Michael Alexander Friedmann's recent filings. On January 30, 2024, Defendants filed a motion to dismiss Mr. Friedmann's First Amended Complaint. Dkt. No. 25. The motion is noted for consideration on February 16 pursuant to Local Civil Rule ("LCR") 7(d)(3). On February 8, Mr. Friedmann electronically filed a document purporting to be his Second Amended Complaint. Dkt. No. 26. On February 9, Mr. Friedmann electronically filed a purported declaration, which appears to be his response in opposition to Defendant's motion to dismiss. Dkt. No. 27.

Pursuant to Federal Rule of Civil Procedure 15, Mr. Friedmann is not permitted to file a subsequent amended complaint without prior leave from the Court. Fed. R. Civ. P. 15(a). Mr. Friedmann appears to realize this requirement, as his filing includes a specific request for the Court “to review and accept the Petitioner’s Amended Complaint for a Civil Case.” Dkt. No. 26 at 1. As such, even though the filing was entered on the docket as Mr. Friedmann’s Second Amended Complaint, the Court understands the filing to actually be a motion for leave to amend, and the Court will therefor treat it as such. Thus, pursuant to LCR 7(d)(3), Mr. Friedmann’s motion for leave to amend would appropriately be noted for consideration on Friday, February 23, Defendants’ deadline to respond in opposition is Monday, February 19, and Mr. Friedmann may file a reply on the noting date, if he so chooses.

In order to avoid confusion on the docket and in the proceedings going forward, the Court ORDERS the Clerk to adjust the docket to show Mr. Friedmann’s filing at Dkt. No. 26 as a motion for leave to amend with a noting date of February 23, 2024. Mr. Friedmann’s subsequent filing at Dkt. No. 27 shall also be adjusted to identify it as his response in opposition to the motion to dismiss at Dkt. No. 25.

Dated this 9th day of February 2024.



Tana Lin
United States District Judge